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Attorneys for Defendant  
APPLE COMPUTER, INC.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO**

MARTIN VOGEL and KENNETH  
MAHONEY, On Behalf Of Themselves  
and All Others Similarly Situated,

Plaintiffs,

v.

STEVEN P. JOBS, PETER  
OPPENHEIMER, FRED ANDERSON,  
WILLIAM V. CAMPBELL,  
MILLARD S. DREXLER, ALBERT  
GORE, JR., ARTHUR D. LEVINSON,  
JEROME P. YORK and APPLE  
COMPUTER, INC.,

Defendants.

Case No. C 06 05208 MHP

STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
COMPLAINT

Complaint Filed: August 24, 2006  
Jury Trial Demanded

Pursuant to Civil L.R. 6-1, the parties stipulate, and the Court hereby orders, as follows:

1. Defendants are not required to respond to the complaint in this action or any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint by Lead Plaintiff's Counsel.
2. Defendants shall respond to the consolidated complaint within forty-five (45) days after service (or, in the event that Lead Plaintiff's Counsel designates an existing complaint as the operative complaint, within forty-five (45) days after service of written notice of such designation), unless otherwise agreed upon by the parties or ordered by the Court.

STULL, STULL & BRODY

Dated: October 26, 2006

By: /s/ Patrice L. Bishop  
Patrice L. Bishop

Attorneys for Plaintiffs  
Martin Vogel and Kenneth Mahoney, On  
Behalf Of Themselves and All Others  
Similarly Situated

O'MELVENY & MYERS LLP

Dated: October 26, 2006

By: /s/ David M. Furbush  
David M. Furbush

Attorneys for Defendant  
Apple Computer, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 27, 2006



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Hon. Marilyn Hall Patel  
United States District Judge